

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

JUDITH COELHO AND DENNIS COELHO,

Plaintiff,

v.

PROMUTUAL GROUP,

Defendants.

CIVIL ACTION NO. 05-11833 NMG

**DEFENDANT’S MOTION TO STAY ALL PROCEEDINGS UNTIL  
RESOLUTION OF THE UNDERLYING TORT SUIT  
and  
REQUEST FOR ORAL ARGUMENT**

For the reasons set forth in the accompanying Memorandum, defendant ProMutual Group (“ProMutual”)<sup>1</sup> moves to stay all proceedings in this action, including but not limited to its responses to discovery requests prematurely served with the Complaint, until plaintiffs’ underlying claims against ProMutual’s insureds, which are pending in the state court action *Judith Coelho and Dennis Coelho v. Alice M. Daley, M.D. and PMG Physician Associates, Inc.*, Barnstable County Superior Court Civil Action No. 2003-0028, are resolved by settlement or a final judgment and exhaustion of any appeals.

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<sup>1</sup> The correct name for the defendant is Medical Professional Mutual Insurance Company.

**Request for Oral Argument**

Pursuant to Local Rule 7.1(D), ProMutual requests a hearing on its Motion to Stay All Proceedings Until Resolution of the Underlying Tort Suit.

PROMUTUAL GROUP  
By its attorneys,

/s/ Anne Robbins  
Tamara S. Wolfson (BBO #544347)  
Anne Robbins (BBO #561968)  
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Dated: October 12, 2005

CERTIFICATION OF RULE 7.1(A) CONFERENCE

I hereby certify that on October 11, 2005, I spoke by telephone with counsel for plaintiffs, Kenneth Levine, in a good faith attempt to resolve or narrow the issue raised by the above motion, and that we were unable to reach agreement.

/s/ Anne Robbins

CERTIFICATE OF SERVICE

I hereby certify that I caused a true copy of the above document to be served upon the attorney of record for each other party by mail on October 12, 2005.

/s/ Anne Robbins